Calendar No. 927

82D CONGRESS, 1st Session | SENATE | REPORT No. 965

UNIV. OF MICH.
OCT 29 1951
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DR. LOUIS S. K. YUAN

OCTOBER 16 (legislative day, OCTOBER 1), 1951.—Ordered to be printed

Mr. MCCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 560]

The Committee on the Judiciary, to which was referred the bill (S. 560) for the relief of Dr. Louis S. K. Yuan, having considered the same, reports favorably thereon without amendment and recommends the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Louis S. K. Yuan. The bill provides for an appropriate quota deduction and for the payment of the required visa fee and head tax.

STATEMENT OF FACTS

The beneficiary of the bill is a 36-year-old native and citizen of China who last entered the United States as a visitor on August 16, 1949. He is a medical doctor specializing in the field of pathology. He is presently serving at Alexian Brothers Hospital and at the St. Louis City Hospital, St. Louis, Mo., where his services are stated to be necessary and valuable.

A letter dated September 12, 1951, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to the case, reads as follows:

SEPTEMBER 12, 1951.

Hon. PAT MCCARRAN,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 560) for the relief of Dr. Louis S. K. Yuan, an alien.

The bill would provide that Dr. Louis S. K. Yuan shall be considered to have been lawfully admitted to the United States for permanent residence as of the date of its enactment, upon payment of the required visa fee and head tax. It would also direct the Secretary of State to instruct the quota-control officer to deduct one number from the appropriate immigration quota.

The files of the Immigration and Naturalization Service of this Department disclose that Dr. Louis Si-Kang Yuan, a native and citizen of China of the Chinese race, was born in Kiangsu Province, on January 18, 1915. He entered the United States at the port of San Francisco on August 16, 1949, when he was admitted as a temporary visitor for 6 months under section 3 (2) of the Immigration Act of 1924. He was subsequently granted an extension of his temporary stay until August 16, 1950. His last application for an extension of stay, however, was denied on the ground that he desires to remain in the United States permanently and is therefore not a bona fide visitor.

According to Dr. Yuan, he was educated in China in the medical profession, graduating in 1938 and serving as intern and resident physician in St. Mary's Hospital and Peiping Central Hospital, China. Since 1940 he has practiced his profession in various Catholic missions and hospitals in China. Dr. Yuan further stated that he is married and has two children, who are now living with their mother in Hong Kong. He also stated that when he entered the United States in 1949 he intended to remain here for only 2 or 3 years in order that he might study new techniques in medicine and further his medical education, but that since that time the Communists have taken over the Hunan Mission Hospital, where he was practicing his profession, and he cannot return there due to his anti-communistic beliefs. Since he has been in the United States Dr. Yuan has served an internship at San Rafael's Hospital in New Haven, Conn., and as resident physician in Locust Mountain State Hospital, Shenandoah, Pa. He has been a resident physician at Alexian Brothers Hospital in St. Louis, Mo., since March 1951.

The Chinese racial quota, to which Dr. Yuan is chargeable, is oversubscribed and an immigration visa is not readily obtainable. In this respect his case is similar to those of many other Chinese aliens, who desire to enter this country for permanent residence but who are unable to do so due to the oversubscribed condition of the quotas to which they are chargeable. The record in Dr. Yuan's case presents no facts which would justify the enactment of special legislation granting him a preference over the many other Chinese aliens who are awaiting their turn for the issuance of immigration visas.

Accordingly, the Department of Justice is unable to recommend the enactment of this bill.

Yours sincerely,

_____ _____,
Deputy Attorney General.

Senator Pat McCarran, the author of the bill, has submitted the following additional information in connection with the case:

LOUIS SI-K'ANG YUAN, M. D.

1915, January 18, born JouKao, Kiangsu, China.
1920–29, local grammar and junior high school, Nantung, Kiangsu, China.
1929–34, Aurora University high school and pre-med school, Shanghai, China.
1934–38, Aurora University Medical School, Shanghai, China.
1938–39, internship, St. Mary's Hospital, Shanghai, China.
1939–40, resident physician, Central Hospital, Peiping, China.
1940–41, resident physician, Catholic Hospital, Shienhsien, Hupeh, China.
1941–46, surgeon, Catholic Hospital, Suiyuan, China.
1946–49, chief surgeon, Catholic Hospital, Yuanling, Hunan, China.
1949, August 16, arrived in the United States for further medical studies and experience.
1949–50, fellowship, St. Raphael's Hospital, New Haven, Conn.

1950, July to October, fellowship, Locust Mountain Hospital, Shenandoah, Pa. 1950, November to present, fellowship, St. Raphael's Hospital, New Haven, Conn.

Chinese passport No. F18367/HK494050 issued May 17, 1949, Ministry of Foreign Affairs, Canton, China. Valid until May 16, 1952.

Visa, P (2) Immigration, San Francisco, Calif., August 16, 1949 to February 15, 1950. Six-month extension granted January 24, 1950, until August 15, 1950. Further extension denied; but given until September 29, 1950, to leave country. Special extension granted on October 26, 1950, by the Office of Assistant Commissioner of Immigration, good until February 1, 1950.

Alien registration card No. V-908991.

Dr. Yuan is married. His wife and children when last heard from were in Shanghai.

ALEXIAN BROTHERS HOSPITAL,
St. Louis 18, Mo., October 1, 1951.

To Whom It May Concern:

Louis Yuan, M. D., is engaged at this hospital as resident physician.

We find him to be exceptionally competent as a physician, conscientious, industrious, and honest.

Due to the shortage of trained physicians, it would be impossible to replace him. The loss of his services would seriously handicap the hospital in caring for the ever-increasing number of sick and injured persons coming to us for help.

Very respectfully yours,

BROTHER SILVERIUS,
Administrator.

CITY OF ST. LOUIS,
DEPARTMENT OF PUBLIC WELFARE,
October 1, 1951.

To Whom It May Concern:

This is to certify that Dr. Louis Yuan is serving an assistant residency in pathology at the St. Louis City Hospital, St. Louis, Mo., the period of the residency being from July 1, 1951, to June 30, 1952. His work is excellent in all respects and in this residency he is performing valuable and essential service to the St. Louis City Hospital. There is a shortage of qualified physicians entering the specialty of pathology and we have been unable to fill two of the four residency positions in pathology assigned to this hospital. It would thus be difficult, if not impossible, to obtain an American doctor to take his place. We are hoping that Dr. Yuan will be able to continue in the department after the expiration of his present residency. Passage of private bill S. 560 will be rendering a valuable service to the St. Louis City Hospital.

Very truly yours,

JOHN A. SAXTON, Jr., M. D.,
Laboratory Director.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 560) should be enacted.

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